

**Exhibit "A"**

**FILED: NASSAU COUNTY CLERK 07/23/2020 01:37 PM**

INDEX NO. 607488/2020

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 07/23/2020

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
MARGUERITE RUGGERI,

Plaintiff,

**S U M M O N S**

-against-

Index No.: 607488/2020

TARGET CORPORATION, RETAIL  
GROCERS GROUP, INC. d/b/a FINE  
FARE SUPERMARKET, WESTBURY  
PROPERTIES, L.L.C., WESTBURY  
MEAT CORP., and FINE FARE  
SUPERMARKETS,

Date Purchased: 7/23/2020

Defendants.  
-----X

PLAINTIFF DESIGNATES NASSAU COUNTY AS PLACE OF TRIAL  
BASIS OF VENUE IS THE DEFENDANT'S RESIDENCE

**YOU ARE HEREBY SUMMONED** to answer the Complaint in this action by serving your Answer on Plaintiff's attorneys within 20 days after service of this Summons, exclusive of the day of service, or within 30 days after service is complete if this Summons is not personally delivered to you within the State of New York. In case of your failure to Answer or Appear, Judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: Mineola, New York  
July 23, 2020

**PLAINTIFF'S ADDRESS:**

MARGUERITE RUGGERI  
653 Whittier Street  
Westbury, New York 11590

**DEFENDANTS' ADDRESSES:**

TARGET CORPORATION  
1000 Nicollet Mall  
Minneapolis, Minnesota 55403

RETAIL GROCERS GROUP, INC.  
455 16th Street  
Carlstadt, New Jersey 07072

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WESTBURY PROPERTIES, L.L.C.  
220 Westbury Avenue  
P.O. Box 348  
Carle Place, New York 11514

WESTBURY MEAT CORP.  
595 Old Country Road  
Westbury, New York 11590

FINE FARE SUPERMARKETS  
595 Old Country Road  
Westbury, New York 11590

Yours, etc.

WEITZPASCALE

A handwritten signature in black ink, appearing to read "Brian C. Pascale", is written over a horizontal line.

By: BRIAN C. PASCALE  
*Attorneys for Plaintiff*  
221 Mineola Boulevard  
Mineola, New York 11501  
Tel: (516) 280-4716

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
MARGUERITE RUGGERI,

Plaintiff,

**VERIFIED  
COMPLAINT**

-against-

Index No.: 607488/2020

TARGET CORPORATION, RETAIL  
GROCERS GROUP, INC. d/b/a FINE  
FARE SUPERMARKET, WESTBURY  
PROPERTIES, L.L.C., WESTBURY  
MEAT CORP., and FINE FARE  
SUPERMARKETS,

Date Purchased: 7/23/2020

Defendants.  
-----X

Plaintiff, MARGUERITE RUGGERI, by her attorneys, WEITZPASCALE, complaining of the Defendants, TARGET CORPORATION, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, WESTBURY PROPERTIES, L.L.C., WESTBURY MEAT CORP., and FINE FARE SUPERMARKETS, respectfully alleges, upon information and belief, the following:

1. At all times hereinafter mentioned, Plaintiff, MARGUERITE RUGGERI, was a resident of the State of New York, County of Nassau.

2. At all times hereinafter mentioned Defendant, TARGET CORPORATION, was a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

3. At all times hereinafter mentioned, Defendant, TARGET CORPORATION, was a foreign corporation transacting and/or conducting and/or doing and/or soliciting business within the State of New York.

4. At all times hereinafter mentioned Defendant, TARGET CORPORATION, was a domestic limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

5. At all times hereinafter mentioned Defendant, TARGET CORPORATION, was a foreign limited liability company transacting and/or conducting and/or doing and/or soliciting business within the State of New York.

6. At all times hereinafter mentioned Defendant, TARGET CORPORATION, was a business enterprise transacting and/or conducting and/or doing and/or soliciting business within the State of New York.

7. At all times hereinafter mentioned Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, was a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

8. At all times hereinafter mentioned Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, was a foreign corporation duly organized and existing under and by virtue of the laws of the State of New York.

9. At all times hereinafter mentioned Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, was a domestic limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

10. At all times hereinafter mentioned Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, was a foreign limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

11. At all times hereinafter mentioned Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, was a business enterprise transacting and/or conducting and/or doing and/or soliciting business within the State of New York.

12. At all times hereinafter mentioned Defendant, WESTBURY PROPERTIES, L.L.C., was a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

13. At all times hereinafter mentioned Defendant, WESTBURY PROPERTIES, L.L.C., was a foreign corporation duly organized and existing under and by virtue of the laws of the State of New York.

14. At all times hereinafter mentioned Defendant, WESTBURY PROPERTIES, L.L.C., was a domestic limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

15. At all times hereinafter mentioned Defendant, WESTBURY PROPERTIES, L.L.C., was a foreign limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

16. At all times hereinafter mentioned Defendant, WESTBURY PROPERTIES, L.L.C., was a business enterprise transacting and/or conducting and/or doing and/or soliciting business within the State of New York.

17. At all times relevant herein, Defendant, WESTBURY PROPERTIES, L.L.C., maintained a principal place of business at 220 Westbury Avenue, Carle Place, County of Nassau, State of New York.

18. At all times hereinafter mentioned Defendant, WESTBURY MEAT CORP. was a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

19. At all times hereinafter mentioned Defendant, WESTBURY MEAT CORP. was a foreign corporation duly organized and existing under and by virtue of the laws of the State of New York.

20. At all times hereinafter mentioned Defendant, WESTBURY MEAT CORP. was a domestic limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

21. At all times hereinafter mentioned Defendant, WESTBURY MEAT CORP. was a foreign limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

22. At all times hereinafter mentioned Defendant, WESTBURY MEAT CORP. was a business enterprise transacting and/or conducting and/or doing and/or soliciting business within the State of New York.

23. At all times hereinafter mentioned Defendant, FINE FARE SUPERMARKETS, was a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

24. At all times hereinafter mentioned Defendant, FINE FARE SUPERMARKETS, was a foreign corporation duly organized and existing under and by virtue of the laws of the State of New York.

25. At all times hereinafter mentioned Defendant, FINE FARE SUPERMARKETS, was a domestic limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

26. At all times hereinafter mentioned Defendant, FINE FARE SUPERMARKETS, was a foreign limited liability company duly organized and existing under and by virtue of the laws of the State of New York.

27. At all times hereinafter mentioned Defendant, FINE FARE SUPERMARKETS, was a business enterprise transacting and/or conducting and/or doing and/or soliciting business within the State of New York.

28. Defendants are not entitled to invoke the limited liability provisions of CPLR Article 16 as this lawsuit falls within one or more of the exceptions set forth in CPLR Section 1602.

**AS AND FOR A FIRST CAUSE OF ACTION**

**TARGET CORPORATION**

**July 10, 2019**

29. At all times hereinafter mentioned, Defendant, TARGET CORPORATION, owned the property known as 999 Corporate Drive, Westbury, New York.

30. At all times hereinafter mentioned, Defendant, TARGET CORPORATION, was the lessor of the property known as 999 Corporate Drive, Westbury, New York.



31. At all times hereinafter mentioned, Defendant, TARGET CORPORATION, was the lessee of the property known as 999 Corporate Drive, Westbury, New York.

32. At all times hereinafter mentioned, Defendant, TARGET CORPORATION, maintained the property known as 999 Corporate Drive, Westbury, New York.

33. At all times hereinafter mentioned, Defendant, TARGET CORPORATION, managed the property known as 999 Corporate Drive, Westbury, New York.

34. At all times hereinafter mentioned, Defendant, TARGET CORPORATION, repaired the property known as 999 Corporate Drive, Westbury, New York.

35. At all times hereinafter mentioned, Defendant, TARGET CORPORATION, controlled the property known as 999 Corporate Drive, Westbury, New York.

36. At all times hereinafter mentioned, Defendant, TARGET CORPORATION, operated the property known as 999 Corporate Drive, Westbury, New York.

37. At all times hereinafter mentioned, Defendant, TARGET CORPORATION, supervised the property known as 999 Corporate Drive, Westbury, New York.

38. At all times relevant herein, Defendant, TARGET CORPORATION, was responsible for maintenance of the property known as 999 Corporate Drive, Westbury, New York.

39. At all times relevant herein, Defendant, TARGET CORPORATION, its agents, servants, employees, and/or licensees, was responsible for maintenance of the property known as 999 Corporate Drive, Westbury, New York.

40. At all times relevant herein, it was the duty of Defendant, TARGET CORPORATION, its agents, servants, employees, and/or licensees to maintain the property known as 999 Corporate Drive, Westbury, New York.

41. At all times relevant herein, it was the duty of Defendant, TARGET CORPORATION, its agents, servants, employees, and/or licensees to maintain said premises in a reasonably safe condition for persons using the same, including Plaintiff herein, by removing accumulations of slippery substances from the isle floors.

42. On or about July 10, 2019, the property known as 999 Corporate Drive, Westbury, New York was in a dangerous, defective, hazardous, and unsafe condition.

43. On or about July 10, 2019, the property known as 999 Corporate Drive, Westbury, New York was in a dangerous, defective, hazardous, and unsafe condition due to the negligence, recklessness, carelessness and culpability of Defendant, TARGET CORPORATION.

44. On or about July 10, 2019, Plaintiff, MARGUERITE RUGGERI, properly was at the property known as 999 Corporate Drive, Westbury, New York.

45. On or about July 10, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 999 Corporate Drive, Westbury, New York.

46. On or about July 10, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 999 Corporate Drive, Westbury, New York, as a result of a dangerous, defective, hazardous, and unsafe condition.

47. On or about July 10, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 999 Corporate Drive, Westbury, New York, as a result of the recklessness, carelessness, and culpability of Defendant, TARGET CORPORATION.

48. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, was caused to sustain serious bodily at the time and place described above.

49. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, was caused to sustain serious bodily injury due the negligence, recklessness, carelessness and culpability of Defendant, TARGET CORPORATION.

50. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, has been damaged in an amount, which exceeds the jurisdictional limits of all state courts save the Supreme Court of the State of New York.

**AS AND FOR A SECOND CAUSE OF ACTION**  
**RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET**  
**July 19, 2019**

51. Plaintiff, MARGUERITE RUGGERI, repeats, reiterates, and realleges each and every allegation contained in the preceding paragraphs as though fully set forth below.

52. At all times hereinafter mentioned, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, owned the property known as 595 Old Country Road, Westbury, New York.

53. At all times hereinafter mentioned, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, was the lessor of the property known as 595 Old Country Road, Westbury, New York.

54. At all times hereinafter mentioned, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, was the lessee of the property known as 595 Old Country Road, Westbury, New York.

55. At all times hereinafter mentioned, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, maintained the property known as 595 Old Country Road, Westbury, New York.

56. At all times hereinafter mentioned, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, managed the property known as 595 Old Country Road, Westbury, New York.

57. At all times hereinafter mentioned, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, repaired the property known as 595 Old Country Road, Westbury, New York.

58. At all times hereinafter mentioned, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, controlled the property known as 595 Old Country Road, Westbury, New York.

59. At all times hereinafter mentioned, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, operated the property known as 595 Old Country Road, Westbury, New York.

60. At all times hereinafter mentioned, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, supervised the property known as 595 Old Country Road, Westbury, New York.

61. At all times relevant herein, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, was responsible for maintenance of the property known as 595 Old Country Road, Westbury, New York.

62. At all times relevant herein, Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, its agents, servants, employees, and/or licensees, was responsible for maintenance of the property known as 595 Old Country Road, Westbury, New York.

63. At all times relevant herein, it was the duty of Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, its agents, servants, employees, and/or licensees to maintain the property known as 595 Old Country Road, Westbury, New York.

64. At all times relevant herein, it was the duty of Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, its agents, servants, employees, and/or licensees to maintain said premises in a reasonably safe condition for persons using the same, including Plaintiff herein, by removing accumulations of slippery substances from the floor.

65. On or about July 19, 2019, the property known as 595 Old Country Road, Westbury, New York was in a dangerous, defective, hazardous, and unsafe condition.

66. On or about July 19, 2019, the property known as 595 Old Country Road, Westbury, New York was in a dangerous, defective, hazardous, and unsafe condition due to the negligence, recklessness, carelessness and culpability of Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET.

67. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, properly was at the property known as 595 Old Country Road, Westbury, New York.

68. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 595 Old Country Road, Westbury, New York.

69. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 595 Old Country Road, Westbury, New York as a result of a dangerous, defective, hazardous, and unsafe condition.

70. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 595 Old Country Road, Westbury, New York as a result of the recklessness, carelessness, and culpability of Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET.

71. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, was caused to sustain serious bodily at the time and place described above.

72. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, was caused to sustain serious bodily injury due the negligence, recklessness, carelessness and culpability of Defendant, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET.

73. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, has been damaged in an amount, which exceeds the jurisdictional limits of all state courts save the Supreme Court of the State of New York.

**AS AND FOR A THIRD CAUSE OF ACTION**  
**WESTBURY PROPERTIES, L.L.C.**  
**July 19, 2019**

74. Plaintiff, MARGUERITE RUGGERI, repeats, reiterates, and realleges each and every allegation contained in the preceding paragraphs as though fully set forth below.

75. At all times hereinafter mentioned, Defendant, WESTBURY PROPERTIES, L.L.C., owned the property known as 595 Old Country Road, Westbury, New York.

76. At all times hereinafter mentioned, Defendant, WESTBURY PROPERTIES, L.L.C., was the lessor of the property known as 595 Old Country Road, Westbury, New York.

77. At all times hereinafter mentioned, Defendant, WESTBURY PROPERTIES, L.L.C., was the lessee of the property known as 595 Old Country Road, Westbury, New York.

78. At all times hereinafter mentioned, Defendant, WESTBURY PROPERTIES, L.L.C., maintained the property known as 595 Old Country Road, Westbury, New York.

79. At all times hereinafter mentioned, Defendant, WESTBURY PROPERTIES, L.L.C., managed the property known as 595 Old Country Road, Westbury, New York.

80. At all times hereinafter mentioned, Defendant, WESTBURY PROPERTIES, L.L.C., repaired the property known as 595 Old Country Road, Westbury, New York.

81. At all times hereinafter mentioned, Defendant, WESTBURY PROPERTIES, L.L.C., controlled the property known as 595 Old Country Road, Westbury, New York.

82. At all times hereinafter mentioned, Defendant, WESTBURY PROPERTIES, L.L.C., operated the property known as 595 Old Country Road, Westbury, New York.



83. At all times hereinafter mentioned, Defendant, WESTBURY PROPERTIES, L.L.C., supervised the property known as 595 Old Country Road, Westbury, New York.

84. At all times relevant herein, Defendant, WESTBURY PROPERTIES, L.L.C., was responsible for maintenance of the property known as 595 Old Country Road, Westbury, New York.

85. At all times relevant herein, Defendant, WESTBURY PROPERTIES, L.L.C., its agents, servants, employees, and/or licensees, was responsible for maintenance of the property known as 595 Old Country Road, Westbury, New York.

86. At all times relevant herein, it was the duty of Defendant, WESTBURY PROPERTIES, L.L.C., its agents, servants, employees, and/or licensees to maintain the property known as 595 Old Country Road, Westbury, New York.

87. At all times relevant herein, it was the duty of Defendant, WESTBURY PROPERTIES, L.L.C., its agents, servants, employees, and/or licensees to maintain said premises in a reasonably safe condition for persons using the same, including Plaintiff herein, by removing accumulations of slippery substances from the floor.

88. On or about July 19, 2019, the property known as 595 Old Country Road, Westbury, New York was in a dangerous, defective, hazardous, and unsafe condition.

89. On or about July 19, 2019, the property known as 595 Old Country Road, Westbury, New York was in a dangerous, defective, hazardous, and unsafe condition due to the negligence, recklessness, carelessness and culpability of Defendant, WESTBURY PROPERTIES, L.L.C.



90. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, properly was at the property known as 595 Old Country Road, Westbury, New York.

91. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 595 Old Country Road, Westbury, New York.

92. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 595 Old Country Road, Westbury, New York, as a result of a dangerous, defective, hazardous, and unsafe condition.

93. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, was caused to sustain serious bodily at the time and place described above.

94. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, was caused to sustain serious bodily injury due the negligence, recklessness, carelessness and culpability of Defendant, WESTBURY PROPERTIES, L.L.C.

95. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, has been damaged in an amount, which exceeds the jurisdictional limits of all state courts save the Supreme Court of the State of New York.

**AS AND FOR A FOURTH CAUSE OF ACTION**  
**WESTBURY MEAT CORP.**

July 19, 2019

96. Plaintiff, MARGUERITE RUGGERI, repeats, reiterates, and realleges each and every allegation contained in the preceding paragraphs as though fully set forth below.

97. At all times hereinafter mentioned, Defendant, WESTBURY MEAT CORP., owned the property known as 595 Old Country Road, Westbury, New York.

98. At all times hereinafter mentioned, Defendant, WESTBURY MEAT CORP., was the lessor of the property known as 595 Old Country Road, Westbury, New York.

99. At all times hereinafter mentioned, Defendant, WESTBURY MEAT CORP., was the lessee of the property known as 595 Old Country Road, Westbury, New York.

100. At all times hereinafter mentioned, Defendant, WESTBURY MEAT CORP., maintained the property known as 595 Old Country Road, Westbury, New York.

101. At all times hereinafter mentioned, Defendant, WESTBURY MEAT CORP., managed the property known as 595 Old Country Road, Westbury, New York.

102. At all times hereinafter mentioned, Defendant, WESTBURY MEAT CORP., repaired the property known as 595 Old Country Road, Westbury, New York.

103. At all times hereinafter mentioned, Defendant, WESTBURY MEAT CORP., controlled the property known as 595 Old Country Road, Westbury, New York.

104. At all times hereinafter mentioned, Defendant, WESTBURY MEAT CORP., operated the property known as 595 Old Country Road, Westbury, New York.

105. At all times hereinafter mentioned, Defendant, WESTBURY MEAT CORP., supervised the property known as 595 Old Country Road, Westbury, New York.

106. At all times relevant herein, Defendant, WESTBURY MEAT CORP., was responsible for maintenance of the property known as 595 Old Country Road, Westbury, New York.

107. At all times relevant herein, Defendant, WESTBURY MEAT CORP., its agents, servants, employees, and/or licensees, was responsible for maintenance of the property known as 595 Old Country Road, Westbury, New York.

108. At all times relevant herein, it was the duty of Defendant, WESTBURY MEAT CORP., its agents, servants, employees, and/or licensees to maintain the property known as 595 Old Country Road, Westbury, New York.

109. At all times relevant herein, it was the duty of Defendant, WESTBURY MEAT CORP., its agents, servants, employees, and/or licensees to maintain said premises in a reasonably safe condition for persons using the same, including Plaintiff herein, by removing accumulations of slippery substances from the floor.

110. On or about July 19, 2019, the property known as 595 Old Country Road, Westbury, New York was in a dangerous, defective, hazardous, and unsafe condition.

111. On or about July 19, 2019, the property known as 595 Old Country Road, Westbury, New York was in a dangerous, defective, hazardous, and unsafe condition due to the negligence, recklessness, carelessness and culpability of Defendant, WESTBURY MEAT CORP.

112. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, properly was at the property known as 595 Old Country Road, Westbury, New York.

113. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 595 Old Country Road, Westbury, New York.

114. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 595 Old Country Road, Westbury, New York as a result of the recklessness, carelessness, and culpability of Defendant, WESTBURY MEAT CORP.

115. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, was caused to sustain serious bodily at the time and place described above.

116. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, was caused to sustain serious bodily injury due the negligence, recklessness, carelessness and culpability of Defendant, WESTBURY MEAT CORP.

117. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, has been damaged in an amount, which exceeds the jurisdictional limits of all state courts save the Supreme Court of the State of New York.

**AS AND FOR A FIFTH CAUSE OF ACTION**  
**FINE FARE SUPERMARKETS**  
**July 19, 2019**

118. Plaintiff, MARGUERITE RUGGERI, repeats, reiterates, and realleges each and every allegation contained in the preceding paragraphs as though fully set forth below.

119. At all times hereinafter mentioned, Defendant, FINE FARE SUPERMARKETS, owned the property known as 595 Old Country Road, Westbury, New York.

120. At all times hereinafter mentioned, Defendant, FINE FARE SUPERMARKETS, was the lessor of the property known as 595 Old Country Road, Westbury, New York.

121. At all times hereinafter mentioned, Defendant, FINE FARE SUPERMARKETS, was the lessee of the property known as 595 Old Country Road, Westbury, New York.

122. At all times hereinafter mentioned, Defendant, FINE FARE SUPERMARKETS, maintained the property known as 595 Old Country Road, Westbury, New York.

123. At all times hereinafter mentioned, Defendant, FINE FARE SUPERMARKETS, managed the property known as 595 Old Country Road, Westbury, New York.

124. At all times hereinafter mentioned, Defendant, FINE FARE SUPERMARKETS, repaired the property known as 595 Old Country Road, Westbury, New York.

125. At all times hereinafter mentioned, Defendant, FINE FARE SUPERMARKETS, controlled the property known as 595 Old Country Road, Westbury, New York.

126. At all times hereinafter mentioned, Defendant, FINE FARE SUPERMARKETS, operated the property known as 595 Old Country Road, Westbury, New York.

127. At all times hereinafter mentioned, Defendant, FINE FARE SUPERMARKETS, supervised the property known as 595 Old Country Road, Westbury, New York.

128. At all times relevant herein, Defendant, FINE FARE SUPERMARKETS, was responsible for maintenance of the property known as 595 Old Country Road, Westbury, New York.

129. At all times relevant herein, Defendant, FINE FARE SUPERMARKETS, its agents, servants, employees, and/or licensees, was responsible for maintenance of the property known as 595 Old Country Road, Westbury, New York.

130. At all times relevant herein, it was the duty of Defendant, FINE FARE SUPERMARKETS, its agents, servants, employees, and/or licensees to maintain the property known as 595 Old Country Road, Westbury, New York.

131. At all times relevant herein, it was the duty of Defendant, FINE FARE SUPERMARKETS, its agents, servants, employees, and/or licensees to maintain said premises in a reasonably safe condition for persons using the same, including Plaintiff herein, by removing accumulations of slippery substances from the floor.

132. On or about July 19, 2019, the property known as 595 Old Country Road, Westbury, New York was in a dangerous, defective, hazardous, and unsafe condition.

133. On or about July 19, 2019, the property known as 595 Old Country Road, Westbury, New York was in a dangerous, defective, hazardous, and unsafe condition due to the negligence, recklessness, carelessness and culpability of Defendant, FINE FARE SUPERMARKETS.

134. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, properly was at the property known as 595 Old Country Road, Westbury, New York.

135. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 595 Old Country Road, Westbury, New York.

136. On or about July 19, 2019, Plaintiff, MARGUERITE RUGGERI, was caused to fall at the property known as 595 Old Country Road, Westbury, New York as a result

of the recklessness, carelessness, and culpability of Defendant, FINE FARE SUPERMARKETS.

137. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, was caused to sustain serious bodily at the time and place described above.

138. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, was caused to sustain serious bodily injury due the negligence, recklessness, carelessness and culpability of Defendant, FINE FARE SUPERMARKETS.

139. By virtue of the foregoing, Plaintiff, MARGUERITE RUGGERI, has been damaged in an amount, which exceeds the jurisdictional limits of all state courts save the Supreme Court of the State of New York.

WHEREFORE, Plaintiff, MARGUERITE RUGGERI, demands judgment in the FIRST CAUSE OF ACTION against Defendant, TARGET CORPORATION, in an amount which exceeds the monetary limits of all Courts having jurisdiction save the Supreme Court of the State of New York; judgment in the SECOND CAUSE OF ACTION against Defendants, RETAIL GROCERS GROUP, INC. d/b/a FINE FARE SUPERMARKET, judgment in the THIRD CAUSE OF ACTION against WESTBURY PROPERTIES, L.L.C., judgment in the FOURTH CAUSE OF ACTION against WESTBURY MEAT CORP., and judgment in the FIFTH CAUSE OF ACTION against FINE FARE SUPERMARKETS in an amount which exceeds the monetary limits of all Courts having jurisdiction save the Supreme Court of the State of New York; together with interest, costs, and disbursements of this action.

FILED: NASSAU COUNTY CLERK 07/23/2020 01:37 PM

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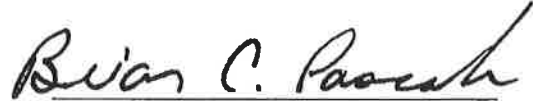
NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 07/23/2020

Dated: Mineola, New York  
July 23, 2020

Yours, etc.

WEITZPASCALE

A handwritten signature in black ink, reading "Brian C. Pascale". The signature is written in a cursive style with a horizontal line underneath the name.

By: BRIAN C. PASCALE  
*Attorneys for Plaintiff*  
MARGUERITE RUGGERI  
221 Mineola Boulevard  
Mineola, New York 11501  
Tel: (516) 280-4716



## VERIFICATION

STATE OF NEW YORK }  
COUNTY OF NASSAU } ss.:

MARGUERITE RUGGERI, being duly sworn, says:

I am a Plaintiff in the action herein. I have read the annexed SUMMONS & COMPLAINT and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters we believe them to be true. My belief as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my personal files.

Dated: Mineola, New York  
July 23, 2020

  
MARGUERITE RUGGERI

Sworn to before me this  
23rd day of July, 2020

  
Notary Public

**NICOLE A. PASCALE**  
Notary Public, State of New York  
No. 01PA6401030  
Qualified in Nassau County  
Commission Expires December 2, 2023

FILED: NASSAU COUNTY CLERK 07/23/2020 01:37 PM

INDEX NO. 607488/2020

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RECEIVED NYSCEF: 07/23/2020

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

MARGUERITE RUGGERI,

Plaintiff,

-against-

TARGET CORPORATION, RETAIL  
GROCERS GROUP, INC. d/b/a FINE  
FARE SUPERMARKET, WESTBURY  
PROPERTIES, L.L.C., WESTBURY  
MEAT CORP., and FINE FARE  
SUPERMARKETS,

Defendants.

SUMMONS and COMPLAINT

**WEITZPASCALE**  
*Attorneys for Plaintiff*  
SAM V. RUGGERI  
221 Mineola Boulevard  
Mineola, New York 11501  
Tel: (516) 280-4716

CERTIFICATION PURSUANT TO 22 N.Y.C.R.R. § 130-1.1a

Brian C. Pascale hereby certifies that, pursuant to 22 N.Y.C.R.R. § 130-1.1a, the foregoing  
SUMMONS & COMPLAINT is not frivolous, nor frivolously presented.

Dated: Mineola, New York  
July 23, 2020

  
BRIAN C. PASCALE

**WEITZPASCALE**  
ATTORNEYS FOR PLAINTIFF